

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

STEPHEN HARRISON COCKBURN,	:	
	:	
Plaintiff,	:	CIVIL ACTION
	:	
v.	:	No. 10-1407-JS
	:	
NATIONAL BOARD OF MEDICAL	:	
EXAMINERS,	:	
Defendant.		

DECLARATION OF CATHERINE FARMER

I, Catherine Farmer, hereby state as follows:

1. My name is Catherine Farmer. I am more than twenty-one (21) years of age and, unless indicated otherwise, I have personal knowledge of the facts stated below.

2. I am employed by the National Board of Medical Examiners (NBME) as Manager of Disability Services. I am also the ADA Compliance Officer, Testing Programs. I hold a Doctor of Psychology degree.

3. The NBME is a not-for-profit organization that provides assessment services for the health professions. Its mission is to help protect the public through state-of-the-art assessment of the knowledge and skills of health professionals.

4. Together with the Federation of State Medical Boards, the NBME sponsors the USMLE, which is a standardized examination used to evaluate applicants' competence for medical licensure in the United States and its territories. The USMLE is designed to assess a physician's ability to apply knowledge, concepts, and principles, and to demonstrate fundamental patient-centered skills that constitute the basis of safe and effective patient care.

5. Testing accommodations are available on the USMLE for examinees with a disability, as defined under the ADA. All requests for accommodations are individually reviewed, and when warranted (i.e., when the examinee adequately demonstrates that he or she is disabled within the meaning of the ADA and needs reasonable accommodations), reasonable and appropriate accommodations are provided. Accommodations are denied if an individual does not provide documentation which shows that he or she has a disability within the meaning of the ADA.

6. As part of its normal process, NBME relies on independent professionals with expertise in the relevant disability to review accommodation requests and offer guidance. The independent professionals review the documentation submitted by individuals requesting accommodations and provide a written recommendation to NBME.

7. The initial April 2009 request for testing accommodations for Stephen Harrison Cockburn ("Mr. Cockburn") was reviewed by Richard L. Sparks, Ed.D. ("Dr. Sparks"). Dr. Sparks specializes in special education and learning disabilities.

8. Mr. Cockburn's request for reconsideration received in October 2009 was reviewed by Steven G. Zecker, Ph.D. ("Dr. Zecker"). Dr. Zecker is a clinical psychologist.

9. Attached hereto at Ex. 1 is a true and correct copy of the United States Medical Licensing Examination "Guidelines to Request Test Accommodations."

10. Attached hereto at Ex. 2 is a true and correct copy of the United States Medical Licensing Examination Step 1 and Step 2 Clinical Knowledge Applicant's Request for Test Accommodations from Mr. Cockburn, received by NBME Disability Services on April 22, 2009.

11. Attached hereto at Ex. 3 is a true and correct copy of a letter sent by Mr. Cockburn, received by NBME Disability Services on April 22, 2009.

12. Attached hereto at Ex. 4 is a true and correct copy of various standardized test score reports for Mr. Cockburn, received by NBME Disability Services on April 22, 2009.

13. Attached hereto at Ex. 5 is a true and correct copy of Mr. Cockburn's transcript from the Ravenscroft School, received by NBME Disability Services on April 22, 2009.

14. Attached hereto at Ex. 6 is a true and correct copy of an AMCAS Application Report – 2007 Entering Class for Mr. Cockburn, received by NBME Disability Services on April 22, 2009.

15. Attached hereto at Ex. 7 is a true and correct copy of a letter dated September 16, 2005, from Janet Smith, M.Ed., received by NBME Disability Services on April 22, 2009.

16. Attached hereto at Ex. 8 is a true and correct copy of a letter dated December 19, 2005, from James B. Fuller, received by NBME Disability Services on April 22, 2009.

17. Attached hereto at Ex. 9 is a true and correct copy of an Accommodation Memorandum from Cypriana Bullock, received by NBME Disability Services on April 22, 2009.

18. Attached hereto at Ex. 10 is a true and correct copy of a United States Medical Licensing Examination Certification of Prior Test Accommodations from Sheik N. Hassan, MD, FCCP, dated April 16, 2009, received by NBME Disability Services on April 22, 2009.

19. Attached hereto at Ex. 11 is a true and correct copy of a July 13, 2009, letter from Dr. Scott Satterlund, received by NBME Disability Services on April 22, 2009.

20. Attached hereto at Ex. 12 is a true and correct copy of a handwritten statement from Mr. Cockburn, received by NBME Disability Services on April 22, 2009.

21. Attached hereto at Ex. 13 is a true and correct copy of a January 25, 2006, letter from Marilyn Haight, ABD, M.Ed, received by NBME Disability Services on April 22, 2009.

22. Attached hereto at Ex. 14 as a true and correct copy of a Silber Psychological Services, P.A., Psychological Evaluation of Mr. Cockburn, received by NBME Disability Services on April 22, 2009.

23. Attached hereto at Ex. 15 is a true and correct copy of a Silber Psychological Services, P.A., Psychological Evaluation of Mr. Cockburn, received by NBME Disability Services on April 22, 2009.

24. Attached hereto at Ex. 16 is a true and correct copy of a June 17, 2009, facsimile from Silber Psychological Services, P.A., received by NBME Disability Services on June 17, 2009.

25. Attached hereto at Ex. 17 is a true and correct copy of a July 23, 2009, letter from Richard L. Sparks, Ed.D., to me.

26. Attached hereto at Ex. 18 is a true and correct copy of an August 31, 2009, letter to Mr. Cockburn from NBME.

27. Attached hereto at Ex. 19 is a true and correct copy of a letter from Mr. Cockburn received by NBME Disability Services on October 30, 2009.

28. Attached hereto at Ex. 20 is a true and correct copy of records from the Wake County Public School System, received by NBME Disability Services on October 30, 2009.

29. Attached hereto at Ex. 21 is a true and correct copy of NeuroBehavioral Associates Neuropsychological Evaluation received by NBME Disability Services on October 30, 2009.

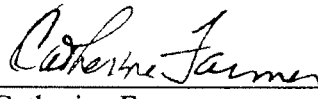
30. Attached hereto at Ex. 22 is a true and correct copy of a November 8, 2009, letter from Steven G. Zecker, Ph.D., to me.

31. Attached hereto at Ex. 23 is a true and correct copy of a December 9, 2009, letter to Mr. Cockburn from NBME.

32. Dates of birth and social security numbers have been redacted from the attached documents.

I declare under the penalty of perjury that the foregoing is true and correct.

Executed on February 7, 2011.



Catherine Farmer

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document and all exhibits thereto have been filed electronically and are available for viewing and downloading from the ECF system. Counsel of record for plaintiff were served through the Court's electronic case filing system.

/s/ Robert A. Burgoyne